

IN THE UNITED STATES COURT FOR THE DISTRICT OF PUERTO RICO
BEFORE HONORABLE DANIEL R. DOMÍNGUEZ

MINUTES OF PROCEEDINGS
Civil No. 13-1474 (DRD)
Law Clerk: Manuel Franco

DATE: February 29, 2016
Began: 5:25 p.m.
Ended: 6:35 p.m.

Edgard De Leon-Serrano, et al.
Plaintiffs

Represented By: Manuel Duran-Rodriguez

v.

Northwestern Selecta, Inc.
Defendant

Represented By: Javier A. Rivera-Vaquer,
and Jose A. Rivera-Cordero

A **Status Conference** was held today. The Conference began at 5:25 p.m. and ended at 6:35 p.m. The Court previously ruled that Defendants did not comply with the two notification requirements of 29 U.S.C. § 1166. See Docket No. 86. Thus, Defendants are subject to a statutory penalty under 29 U.S.C. § 1132(c)(1) ranging anywhere from \$0 to \$110 per day “from the date of such failure” for each violation.

The purpose of this status conference is to inquire into the possibility of settlement, further clarify certain aspects of the case, and decide the next stage of the case. The Court discussed settlement at length with the parties. In the end, it appears that the parties are closer to reaching a reasonable settlement.

The Court further advised the parties that they should tend to the matters in the instant case with maturity and prudence to recognize whether reaching a settlement agreement is appropriate to resolve the controversies at hand. The Court emphasized the importance of reaching a settlement, and warned the parties about the risks of not settling. The Court further indicated that a good settlement is one in which all parties are not totally satisfied and are even annoyed at the settlement figure. A settlement is like an orthopedic shoe, “uncomfortable, does not look fancy, but at the end does the job.” (A quote borrowed from the Hon. James L. Watson of the U.S. Court of International Trade, an esteemed and frequent visiting judge to

Puerto Rico). The Court urged the parties to engage in frank, open, mature and meaningful dialogues with each other in order to reach a reasonable settlement.

Finally, the parties were advised to call (787) 772-3160 within the next two weeks to inform the Court of the latest regarding the settlement negotiations. If the parties are unable to settle, the Court will likely hold a hearing to dispose of this case.

IT IS SO ORDERED.

In San Juan, Puerto Rico, this 29th day of February, 2016.

/s/ Daniel R. Domínguez
Senior U.S. District Judge